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OFFICE OF PETITIONS

DAYCO PRODUCTS, LLC
1 PRESTIGE PLACE
MIAMISBURG, OH 45342

In re Application of
Harold D. Beck, et al.
Application No. 10/663,324
Filed: September 15, 2003
Attorney Docket No. 03-11

ON PETITION

This is a decision in response to the petition, filed April 13, 2007, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned for a failure to reply in a timely manner to a non-final Office action mailed October 5, 2006. April 13, 2007, the present petition was filed. A Notice of Abandonment was subsequently mailed on April 19, 2007.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that petitioner has supplied (1) a reply in the form of an amendment; (2) the petition fee of \$1,500; and (3) an adequate statement of unintentional delay.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Since the \$1,020 extension of time fee submitted with the petition on March 16, 2007 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

The application is being referred to Technology Center AU 1772 for consideration of the amendment filed April 13, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204. Inquiries relating to further prosecution should be directed to the Technology Center.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions